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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,435	10/31/2001	Min Zhu	16440.4015	2352
34313	7590	05/03/2006	EXAMINER	
ORRICK, HERRINGTON & SUTCLIFFE, LLP IP PROSECUTION DEPARTMENT 4 PARK PLAZA SUITE 1600 IRVINE, CA 92614-2558			DIVECHA, KAMAL B	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,435

Applicant(s)

ZHU ET AL.

Examiner

KAMAL B. DIVECHA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,11,12 and 28-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11,12 and 28-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Claims 1, 2, 11, 12, 28-31 are pending in this application.

Specification

The objection presented in the prior office action has been withdrawn.

Claim Rejections - 35 USC § 112

The 35 USC 112, first paragraph rejection presented in the prior office action has been withdrawn.

Applicant's arguments with respect to claims 1, 2, 11, 12 and 28-31 have been considered but are moot in view of the new ground(s) of rejection.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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1. Claims 1-2, 11-12 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slaughter, III et al. (hereinafter Slaughter, U. S. Patent No. 5,598,536) in view of Schauser (U. S. Patent No. 6,331,855 B1).

As per claim 1, Slaughter discloses a method comprising: receiving a request to access a target computer from a remote computer at a central computer system, wherein the target computer includes a desktop (col. 3 L10-52 and fig. 2 item #46, 48, 50); determining whether the remote computer has permission to access the target computer (fig. 3 step #57 and col. 3 L12-55); and enabling the remote computer to access the target computer if the remote computer has permission to access the target computer (col. 3 L50-60, col. 5 L14-23, fig. 3 step #58 and fig. 2), however Slaughter does not disclose the process wherein the remote computer accesses the desktop of the target computer.

Schauser, from the same field of endeavor discloses the process of controlling and accessing the desktop of the computer system (col. 1 L15-24, col. 3 L10-55).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Slaughter in view of Schauser, in order access the desktop of the target computer system, since Schauser teaches the process of accessing the desktop of the computer system.

One of ordinary skilled in the art would have been motivated because it would have allowed a user to control a remote a computer system as if it was sitting right in front of it and which would have also provided a mechanism for technical support, telecommuting, collaboration, education and training, equipment control, software and computer rental, software

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demonstration, sales presentations, and access from mobile handheld devices (Schauser, col. 1 L15-24).

As per claim 2, Slaughter discloses the process of allowing the remote computer to specify accessible applications (i.e. allowing the remote computer to access the accessible applications) that are located on the target computer if the remote computer has permission to access the target computer (fig. 3 step #58 and step #64; col. 2 L19-31).

As per claim 11, Slaughter discloses a computer system including: a first computer and a second computer, each including a desktop (fig. 1 item #12 and fig. 2 item #46); a central server computer system communicatively accessible by the first and second computers (fig. 1 item #16), wherein the central server computer system is configured to enable a computer to share control of another computer (i.e. access another computer system) via a global computer network and is further configured to determine whether the computer has permission to share control of the another computer (fig. 1 and col. 1 L63 to col. 2 L18); a first computer program installed on the first computer and configured to send a request to the central server computer system to access and control the second computer and further configured to enable the first computer to access and control the second computer (col. 5 L56-67 and col. 3 L13-60; Applicant Admitted Prior Art, AAPA para. [0003]); and a second computer program installed on the second computer and configured to receive a request from the central server computer system to access and control the second computer and further configured to enable the first computer to access and control the second computer (AAPA para. [0001-0003]; col. 6 L23-64 and fig. 3).

However, Slaughter does not disclose the system wherein the computer system is configured to enable a computer to share access or simply access a desktop of another computer via global network.

Schauser, from the same field of endeavor discloses the process of controlling and accessing the desktop of the computer system from another computer system (col. 1 L15-24, col. 3 L10-55).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Slaughter in view of Schauser, in order access the desktop of the target computer system, since Schauser teaches the process of accessing the desktop of the computer system.

One of ordinary skilled in the art would have been motivated because of the same reasons as set forth in claim 1.

As per claim 28, Slaughter discloses a system wherein the first and second computer programs are remote access programs (col. 5 L57 to col. 6 L31; AAPA para. [0003]).

As per claim 29, Slaughter discloses a system wherein remote access programs are downloaded from the central server computer system (col. 6 L20-30 and fig. 1-2).

As per claim 30, Slaughter does not disclose a system wherein the central server computer system includes a web server.

Schauser, from the same field of endeavor discloses the process wherein the remote access software can be downloaded from a web site (i.e. a web server, col. 3 L10-56).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Slaughter in view of Schauser in order to include a web server with the central computer system.

One of ordinary skilled in the art would have been motivated so that the software (remote access software) would have been downloaded from a web server over the web.

As per claim 12, it does not teach or further define over the limitations in claims 1-2, 11 and 28-30. Therefore claim 12 is rejected for the same reasons as set forth in claims 1-2, 11 and 28-30.

2. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Slaughter, III et al. (hereinafter Slaughter, U. S. Patent No. 5,598,536) in view of Schauser (U. S. Patent No. 6,331,855 B1), and further in view of Easley et al. (hereinafter Easley, Pub. No.: US 2002/0142842 A1).

As per claim 31, Slaughter in view of Schauser does not disclose a system wherein the first and second computer programs are software plug-ins downloadable from a website.

Easley, from the same field of endeavor discloses a system wherein software (plug-ins or other applications) is downloaded from a server (a website, pg. 3 [0028] and fig. 1).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Slaughter in view of Schauser and further in view of Easley, in order to download the computer programs as software plug-ins from a website.

One of ordinary skilled in the art would have been motivated because it would have enabled a user to access the software applications through a website (Easley, para. [0028]).

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Fuh et al., U. S. Patent No. 6,463,474: Local Authentication of a client at a network device.
- b. Dorfman et al., U. S. Patent No. 6,449,651 B1: Temporary Remote Access to a computer.
- c. Watson et al., U. S. Patent No. 5,475,839: Method and Structure for securing access to a computer system.
- d. Bogia et al., Pub. No.: US 2003/0051002 A1.
- e. Falkner, Pub. No.: US 2003/0046371 A1.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Increased Flex Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamal Divecha
Art Unit 2151
April 28, 2006.

Khank Dinh
Primary Examiner